



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LUCIO CELLI,

Plaintiff,

- against -

NEW YORK CITY, ET AL.,

Defendants.
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24-CV-9743 (JPC) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order addresses several purported motions by Plaintiff Celli.

1. Plaintiff's application at Dkt. 14 for electronic filing privileges is DENIED. Plaintiff has already failed to follow court orders and has repeatedly file vexatious and frivolous items on the docket. Relatedly, the Court will NOT consider any communication from Plaintiff unless properly filed via the Pro Se Clerk office.

2. Plaintiff's applications at Dkts. 57, 58, 61, and 62 are DENIED as frivolous and vexatious.

3. Plaintiff's applications at Dkts. 59 and 63 are motions to recuse. The form used, however, is entirely generic, and Plaintiff has identified no facts that would provide a basis for recusal. Plaintiff's other filings reflect general displeasure with the Court's rulings, which is not a valid basis for recusal. Accordingly, the motions at Dkt. 59 and 63 are DENIED.

4. Plaintiff's application at Dkt. 60 is captioned as a motion to intervene. The body of the motion, however, reads more like a complaint and asks the Court to reverse

the DOE and UFT's denial of prescription drug insurance coverage. Plaintiff already has been granted permission to file an amended complaint as of right by March 17, 2025. (See Dkt. 49.) To the extent Plaintiff's initial pleading does not already address the claims that are subject of Dkt. 60, Plaintiff may include them in his intended amended complaint if he has a good faith basis to do so. Plaintiff is once again reminded that the amended complaint must be a short and plain statement of his claims. The application at Dkt. 60 therefore is denied without prejudice as moot.

5. Plaintiff is also reminded again that he must send and file all communications with the Court via the Pro Se Clerk office and that all submissions must present a non-frivolous request for relief or response to a court order or another party's request for relief. Plaintiff has continued to violate that admonition — previously ordered on multiple occasions — by filing frivolous and vexatious documents; by sending numerous vexatious, ranting, profane emails to an email list of more than 400 recipients, including numerous judges and court staff; and repeatedly calling judicial chambers and leaving ranting voicemails. Plaintiff shall refrain from all such conduct.

Finally, Plaintiff is reminded that violation of this or any other court order may result in sanctions, including monetary sanctions, contempt sanctions, and/or dismissal of the action with prejudice.

The Clerk of Court is directed to terminate the motions at Dkts. 14, and 57 through 63.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', is written above a horizontal line.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: February 28, 2025
New York, New York

Copies transmitted this date to all counsel of record. The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.